

CITY OF BELMONT
PLANNING COMMISSION
SUMMARY MINUTES

TUESDAY, JANUARY 15, 2013, 7:00 PM

Chair Mercer called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Mercer, Parsons, Reed, Horton, Frautschi, d'Souza
Commissioners Absent: Herbach

Staff Present: Community Development Director de Melo, Management Analyst Walker, City Attorney Rennie, Recording Secretary Turning

2. AGENDA AMENDMENTS – None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Planning Commission Minutes of September 18, 2012

MOTION: By Commissioner Horton, seconded by Commissioner Frautschi, to approve the Minutes of September 18, 2012 as amended. Motion passed 6/0/1 by a show of hands, with Commissioner Herbach absent.

4B. Planning Commission Minutes of October 2, 2012

MOTION: By Commissioner Frautschi, seconded by Vice Chair Parsons, to approve the Minutes of October 2, 2012 as amended. Motion passed 6/0/1 by a show of hands, with Commissioner Herbach absent.

C. Planning Commission Minutes of October 16, 2012

MOTION: By Commissioner Frautschi, seconded by Commissioner Horton, to approve the Minutes of October 16, 2012 as amended.

Ayes: Frautschi, Horton, d'Souza, Parsons, Mercer
Noes: None
Abstain: Reed
Absent: Herbach

Motion passed 5/0/1/1

4D. Planning Commission Minutes of November 8, 2012

MOTION: By Commissioner Frautschi, seconded by Commissioner Reed, to approve the Minutes of November 8, 2012 as amended.

Ayes: Frautschi, Reed, d'Souza, Horton, Mercer
Noes: None
Abstain: Parsons
Absent: Herbach

Motion passed 5/0/1/1

4E. Off the Grid – Resolution to adopt a Conditional Use Permit within existing Caltrain Parking Lot (continued from December 18, 2012 Planning Commission Meeting)

Chair Mercer and Commissioner Frautschi suggested several edits and additions to the Conditions of Approval. Community Development Director de Melo summarized the changes as follows:

- Add the word “are” in the last line of Condition 6.
- Change the last line of Condition 12 to read “Mobile Food Trucks Market.”
- Change “with” to “within” in the last line of Condition 9.
- Add “All posted signage must comply with the Belmont Sign Ordinance” to Condition 10.
- Clarify that everything will be removed following each event.

Ben Himlan, representing Off the Grid, stated that they would bring in and take everything out, leaving a zero footprint. He added that they are working towards having Caltrain install the signage and that they do not work with any food vendors who do not have a business license for the city where they hold their events.

MOTION: By Commissioner Horton, seconded by Commissioner Parsons, approving Application PA2012-050, a Conditional Use Permit for Off the Grid to use Caltrain

parking lot located at the 1300 Block of El Camino Real with revised Resolution and Conditions of Approval

Ayes: Horton, Parsons, d'Souza, Reed, Mercer
Noes: None
Abstain: Frautschi
Absent: Herbach

Motion passed 5/0/1/1

5. OLD BUSINESS

5A. 1802 Notre Dame Avenue – Resolution to approve Final Landscape Plan

Community Development Director de Melo summarized the Staff Memorandum, recommending approval of the revised Final Landscape Plan.

Denis Grizelj, applicant/owner, stated that he hopes to continue a sidewalk from 1804 all the way around the front yard. He added that he would be open to adding a small row of landscaping in front of the fence to soften it.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Parsons, approving a Revised Landscape Plan for the construction of a 563-square-foot addition to an existing 1,812-square-foot single-family residence located at 1802 Notre Dame Avenue (Appl. No. 2012-0028) with the additional condition that softening plants be placed in front of the proposed fence.

Ayes: Frautschi, Parsons, d'Souza, Horton, Mercer
Noes: None
Abstain: Reed
Absent: Herbach

Motion passed 5/0/1/1

6. PUBLIC HEARINGS

6A. PUBLIC HEARING – 1951 Bishop Road (Continued from the November 18, 2012 Planning Commission Meeting)

To consider a Single Family Design Review to construct a new 3,731 sq. ft. single family home on a vacant 32,102 square-foot lot, which is below the zoning district permitted maximum 4,500 square feet. (Appl. No. 2012-0025); APN: 043-010-690; Zoned: HRO-1

(Hillside Residential and Open Space); CEQA Status: Categorical Exemption per Section 15303

APPLICANT: Robert Medan, AIA

OWNERS: Larry and Chris Fonseca

PROJECT PLANNER: Jennifer Walker, (650) 595-7453

Chair Mercer determined that no Commissioners had any ex parte communications with anyone involved with this project.

Management Analyst Walker summarized the staff memorandum and reviewed the points raised in an email from neighbors listed as Attachment D. Staff recommended approval of the Single-Family Design Review and adoption of the Mitigated Negative Declaration of Environmental Significance.

Commissioner Horton stated that she wanted to assure that it is understood that the fence is not required, and additionally suggested that in the Initial Study and the Mitigated Negative Declaration the haul route for trucks be directed to Hwy. 92 rather than Hwy. 280, since portions of Hwy. 280 are designated as a scenic route where large trucks are not allowed.

The following changes to the Conditions of Approval were requested:

- Page 8, item 8 should read “The applicant shall amend the cover sheet.”
- Item 15 should be changed to “The applicant/owner shall require all contractors and subcontractors to make a good faith effort to contact a construction and demolition recycling service provider.”
- On page 11 under Public Works Department, it was suggested that item 7 be changed to read “Include erosion protection at the front property line.” and “Regrade to a gentler slope if required to prevent spill over of dirt and debris into the gutter.”
- On page 11, strike the last sentence of item 4.
- In the proposed Resolution regarding the Negative Declaration, correct spelling of “single” in the first paragraph.

Commissioner Frautschi recommended adding a condition stating that “A detailed agreement between the applicant and the adjacent property owners for access and servicing of the western V ditch is strongly encouraged.”

Larry Fonseca, applicant, confirmed for Commissioner Frautschi that the pot shown on the architectural plans is for a water fountain.

Chair Mercer opened the Public Hearing.

Bryan Rianda, Belmont resident and a registered Civil Engineer, expressed concern about the drainage on the south side of this property, and was further concerned about trucks running on Marsten Avenue.

David Schachke, Belmont resident, had been told that the slope was cut too steep and asked for more time to negotiate with the property owners to come up with a way to solve the problem permanently.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Parsons, to close the Public Hearing. Motion passed 6/0/1 by a show of hands, with Commissioner Herbach absent.

Discussion ensued regarding the geotechnical aspects of the project and the limits of the City’s authority as it relates to levying conditions of approval in this regard. Community Development Director de Melo

stated that he had assured all parties involved that there are new C3 stormwater requirements regarding drainage enhancements that now need to be part of a project.

Referring to the Mitigated Negative Declaration (MND), Commissioner Frautschi expressed that he had differences with the ratings for numbers IV, Biological Resources, VI, Geology and Soils, and VII.h, Hazards and Hazardous Materials, because this is an urban wildlife interface yet they are not being required to provide an urban wildlife interface plan.

Vice Chair Parsons stated for the record that since he had not attended the meeting when this project was discussed and had not had a chance to watch the video he would abstain from voting.

MOTION: By Commissioner Frautschi, seconded by Commissioner Reed, a Resolution of the City of Belmont adopting a Mitigated Negative Declaration of Environmental Significance and a Mitigation Monitoring and Reporting Program for a Single-Family Design Review of a 3,731-square-foot residence at 1951 Bishop Road (Appl. No. 2012-0025)

Ayes:	Frautschi, Reed, d'Souza, Horton, Mercer
Noes:	None
Abstain:	Parsons
Absent	Herbach

Motion passed 5/0/1/1

Commissioner Frautschi stated that the number of trees listed as 29 on pages 1, 3 and 5 of the Resolution should be changed to 30. He stated that the haul route needs to be specifically spelled out in the Conditions of Approval and it should specify that they turn right on Ralston to go to Hwy. 92.

Community Development Director de Melo noted that there are amendments related to C3 requirements and clarifications to Public Works Condition of Approval 7 as it relates to erosion protection at the front slope. Vice Chair Parsons asked that the physical condition of Marsten Avenue be documented both before and after hauling.

MOTION: By Commissioner Horton, seconded by Commissioner Frautschi, to adopt the Resolution approving a Single-Family Design Review at 1951 Bishop Drive (Appl. No. 2012-0025) with the added conditions of Road Haul Instructions, Slope Stability and an Advisory Condition about working with the Property Owners.

Ayes:	Horton, Frautschi, d'Souza, Reed, Mercer
Noes:	None
Abstain:	Parsons
Absent:	Herbach

Motion passed 5/0/1/1

Chair Mercer stated that this item may be appealed to the City Council within 10 calendar days

7. REPORTS, STUDIES AND UPDATES:

Community Development Director de Melo reported as follows:

7A. Proposed Chase Bank – 1900 Ralston Avenue

This project was scheduled for review at this meeting but the applicant notified the City the bank is still negotiating with the property owner about this property. Discussion continued to a date uncertain.

7B. Caltrain Modernization Program/High Speed Rail

Chair Mercer stated that Council has asked her to represent the City on the Peninsula Cities Consortium (PCC). The City will be hosting the meetings for the months of April, May and June on the first Friday of each of those months at 8:15 a.m. in the Council Chambers.

7C. Ralston/US-101 Landscape Project

No update at this time.

7D. Notre Dame De Namur (NDNU) / Koret Field

Responsive to a Condition of Approval for this project, Community Development Director de Melo had issued a first-year report regarding performance. During the year there was one call because of a practice that occurred by NDNU Athletics that lasted beyond the specified time. Once the officers showed up the issue was cleared. There were no other issues.

7E. Advanced Planning/Topics Discussion

Community Development Director de Melo explained the intent of this topic. Chair Mercer added that her vision is that these would be small items that have been overlooked for years, adding that there may be nights when the agenda is so heavy that they could not include this, or that on occasion they could be focusing on a General Plan or Village Zoning item. Discussion ensued regarding Commissioner Reed's question about the possibility of having an architectural review board that is separate from a planning board. Vice Chair Parsons suggested that the proposed Planning Hour discussions are not the kind of issues that should be delegated to new Commissioners.

At Chair Mercer's request, staff had provided the 2012-2013 Planning and Development Priorities List as a way to begin the process of creating an agenda for future Planning Hours. Staff also had some suggestions for making improvements to the zoning code that should be considered. She asked all Commissioners to submit their own lists to Community Development Director de Melo, who will then compile one list for review at the next meeting.

Other Items

Chair Mercer announced that the **application period for new Planning Commissioners** is open until the close of business on January 31st. Applications are available on line or can be obtained from the City Clerk. Council will conduct interviews during the month of February and make their selections at their first meeting in March.

Commissioner Frautschi asked that staff call attention to the misspelled word "banquet" on **Salizar's** new sign.

Community Development Director de Melo stated that **5 Guys Burgers** should be open for business by the end of the week, other tenant spaces in that center are expected to be filled as well, and **Pet Food Express** is in negotiations with the owner of the former Blockbuster building. He added that Council will conduct the 1-year review of the **Residential Design Guidelines** at their next meeting and will conduct a study session on January 29th on the **City-owned properties within the San Juan Canyon area**.

Vice Chair Parsons asked that the **Tree Board** be placed on the next Planning Commission agenda.

Commissioner Frautschi asked if there had been any attempt in the process of developing the San Juan Canyon area to seek an open space granting agency to retire the debt so that nothing would have to be built there. Community Development Director de Melo asked that this discussion be deferred to the Council study session on January 29th.

8. CITY COUNCIL MEETING OF TUESDAY, JANUARY 22, 2013 - 7:30 P.M.

Liaison: Chair d'Souza
Alternate Liaison: Commissioner Horton

9. ADJOURNMENT:

The meeting was adjourned at 9:00 p.m. to a Regular Planning Commission Meeting on Tuesday, February 5, 2013 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

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Community Development Department
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